

UZO DEFINITIONS FOR BUILDING FOOTPRINTS AND BUILDING ENVELOPES

Background:

For about a year, the owners of the Wabash Landing Planned Development have sought to construct a hotel on a portion of the existing PD that presently contains commercial retail space. The hotel would be constructed above the existing retail area adjacent to the parking garage. They are arguing that the project can be done as a minor modification to the approved planned development.

Current Ordinance: UZO 2-27-12(a)(2) -

"A minor modification cannot include: any increase in residential density; any decrease in residential density of 10% or more; any change in building dimension or location other than within the defined building envelope; any change in landscaping other than substitution of species or redesign with the same materials; any alteration in the size and/or location of signage; any change in type of land use; any change in the alignment or intersection of streets; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items (Amend 15)."

The Problem:

The zoning ordinance presently has no definition of "building envelope". The petitioner is arguing the envelope is a two-dimensional space and because they are planning on building "up" they would not be changing the building envelope. Since they would not violate the remaining minor modification prohibitions with their hotel proposal, they should be clear to apply for a minor modification.

Ordinance Comparisons:

An ordinance search utilizing the American Planning Association Planning Advisory Service's "***A Planners Dictionary***" was conducted and the following ordinances for "Building Footprint" and Building Envelope" are included for your consideration. (see attached)

Next Steps:

In order to alleviate the confusion, staff is recommending that the Ordinance Committee direct staff to present it with draft ordinances addressing these issues at the next Ordinance Committee meeting on September 7, 2011.

BUILDING ENVELOPE

1. That area on a lot that encompasses all development including but not limited to excavation, fill, grading, storage, demolition, structures, building heights, decks, roof overhangs, porches, patios and terraces, pools, any areas of disturbance, access ways, and parking. Approved plantings of landscape materials on natural grade and approved walkways and driveways may occur outside of a building envelope. Otherwise, all areas Outside of a building envelope shall remain in pristine and untouched condition unless approved by the Community Development Director. (Aspen, Colo.)
2. The volume of space for building as defined by the minimum setbacks and the maximum allowable building height. (Oakland, Calif)
3. The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing building setbacks, maximum height, and bulk; by other regulations; or any combination thereof. (Newport, R.I.)
4. The area formed by the front, side, and rear building restriction or setback lines of a lot within which the principal buildings must be located. (Caroline County, Md.)
5. An area within the property boundaries of a lot or tract within which an allowed building or structure may be placed. (Loveland, Colo.)
6. The three-dimensional area enclosed by the front, side and rear setbacks and the maximum height, as well as any side street or rear street setbacks. (Milwaukee, Wis.)
7. The projected maximum bulk of building on a development site based on the capacity of the site and on urban design considerations of the surrounding context. (Pittsburgh, Pa.)

BUILDING FOOTPRINT

1. The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof. (Renton, Wash.)
2. The horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes residences, garages, covered carports, and accessory structures, but not trellises, patios, and areas of porch, deck, and balcony less than 30 inches from finished grade. (Oakland, Calif.)
3. The outline of the total area covered by a building's perimeter at the ground level (Boulder County, Colo.; Thornton, Colo.)
4. The exterior outline of a structure where it meets the earth. (Burien, Wash.)
5. That portion of a lot covered by a building or structure at the surface level, measured on a horizontal plane. (Bayfield County, Wis.)